Amy B. Vandeveld, State Bar No. 137904
LAW OFFICES OF AMY B. VANDEVELD
1850 Fifth Avenue, Suite 22
San Diego, CA 92101
Telephone: (619) 231-8883
Facsimile: (619) 231-8329

Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

KAREL SPIKES Plaintiff, vs. LOU'S AUTOMOTIVE, et al. and DOES 1 THROUGH 10, Inclusive, Defendants.	Case No.: 08 CV 0657 DMS (AJB) **JOINT MOTION TO CONTINUE EARLY NEUTRAL EVALUATION CONFERENCE** ENE DATE: 6/23/08 Time: 1:30 p.m. Judge: The Honorable Anthony J. Battaglia

Plaintiff, KAREL SPIKES(hereinafter referred to as "Plaintiff"), and Defendants, by and through their attorneys of record, hereby stipulate and agree as follows:

1. The Plaintiff's attorney is scheduled to undergo foot surgery on June 23, 2008, the date on which the Early Neutral Evaluation is currently scheduled. Although the surgery is elective, the procedure is intended to alleviate on-going and significant pain. If Plaintiff's counsel is not able to undergo surgery on June 23, 2008, her Health Maintenance Organization does not have an another available surgery date until more than two months later.

2. The Defendants do not object to continuing the Early

Neutral Evaluation date. The parties, therefore, respectfully request that the Court continue the Scheduling Conference, currently scheduled for June 23, 2008 to a date after July 1, 2008, at the Court's convenience. However, counsel for Defendant LOU ARIAS is unavailable on the following dates: July 10 and 11, 2008 and August 4 to 12, 2008 (pre-planned vacation).

IT IS SO AGREED AND STIPULATED.

LAW OFFICES OF AMY B. VANDEVELD

DATED: June 11, 2008

S/AMY B. VANDEVELD
Attorney for Plaintiff
Email: abvusdc@hotmail.com

SMAHA LAW GROUP

DATED: June 11, 2008

WALTER MENCK, Attorney for Defendant PARADISE CREEK HOLDING CORPORATION

LAW OFFICES OF FRANK S. CLOWNEY III

DATED: June 11, 2008

FRANK S. CLOWNEY, III, Attorney for Defendant LOU ARIAS dba LOU'S AUTOMOTIVE REPAIR

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WALTER MENCK, Attorney for Defendant PARADISE CREEK HOLDING CORPORATION

LAW OFFICES OF FRANK S. CLOWNEY III

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FRANK S. CLOWNEY, III, Attorney for Defendant LOU ARIAS dba LOU'S AUTOMOTIVE REPAIR